

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of ) Examiner: Kathleen M. Kerr  
Peter Leadlay et al. ) Group Art Unit: 1652  
Serial No.: 09/214,453 ) Our File No.: 0380-P01805USO  
Filed: October 25, 1999 )  
Inventor: "Polyketides and Their )  
Synthesis" )



Certificate of Mailing Under 37 C.F.R. §1.8(a):

I hereby certify that this correspondence is being deposited on July 19, 2004 with the United States Postal Service as first-class mail in an envelope properly addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Caren Burgoon  
Caren Burgoon

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated February 10, 2004 of the Primary Examiner finally rejecting claims 25, 27, 31-37, 39, 44, 47-51, 56, 58, 61-66, and 70.

This application is on behalf of

☒ [ X ] other than a small entity

☐ [ ] small entity.

A check for the requisite appeal fee \$333.00 is enclosed.

☐ [ ] not required (fee paid in prior appeal in this application.

☒ [ X ] charge any fee payment or credit any overpayment to Deposit Account No. 04-1406. A petition for a two (2) month extension of time, together with the appropriate extension fee was submitted with Applicants' response to the February 10, 2004 Official Action.

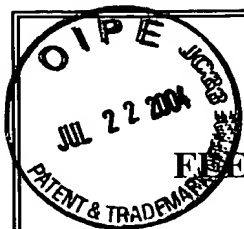
A duplicate copy of this Notice is enclosed herewith.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN  
A Professional Corporation  
Attorneys for Applicant

By Patrick J. Hagan  
Patrick J. Hagan  
PTO Registration No. 27,643

Telephone: (215) 563-4100  
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# FILE TRANSMITTAL

TOT. AMT. OF PAYMENT: (1) + (2) + (3) = \$ 330.00

Complete if known

Application Number: 09/214,453

Filing Date: October 25, 1999

First Named Inventor: Peter Leadlay, et al.

Title: POLYKETIDES AND THEIR SYNTHESIS

Our File No.: 0380-P01805US0

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																								
<p>1. The Commissioner is hereby authorized to:</p> <p><input type="checkbox"/> Charge indicated fees</p> <p><input checked="" type="checkbox"/> Charge additional fees</p> <p><input checked="" type="checkbox"/> Credit overpayments</p> <p>to the account of DANN, DORFMAN, HERRELL AND SKILLMAN</p> <p>Deposit Account Number <u>04-1406</u></p> <p>2. Payment enclosed:</p> <p>Check in the amount of \$ <u>330.00</u></p>	<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Surcharge-late filing fee or oath</td><td>_____</td></tr><tr><td>Surcharge - late provisional filing fee or cover sheet</td><td>_____</td></tr><tr><td>Non-English specification</td><td>_____</td></tr><tr><td>For filing a request for reexamination</td><td>_____</td></tr><tr><td>Requesting publication of SIR prior to Examiner action</td><td>_____</td></tr><tr><td>Requesting publication of SIR after Examiner action</td><td>_____</td></tr><tr><td>Extension for response within first month</td><td>_____</td></tr><tr><td>Extension for response within second month</td><td>_____</td></tr><tr><td>Extension for response within third month</td><td>_____</td></tr><tr><td>Extension for response within fourth month</td><td>_____</td></tr><tr><td>Notice of Appeal</td><td><u>330.00</u></td></tr><tr><td>Filing a brief in support of an appeal</td><td>_____</td></tr><tr><td>Request for oral hearing</td><td>_____</td></tr><tr><td>Petition to institute a public use proceeding</td><td>_____</td></tr><tr><td>Petition to revive unavoidably abandoned application</td><td>_____</td></tr><tr><td>Petition to revive unintentionally abandoned application</td><td>_____</td></tr><tr><td>Issue fee</td><td>_____</td></tr><tr><td>Advance Order (10 copies)</td><td>_____</td></tr><tr><td>Publication Fee</td><td>_____</td></tr><tr><td>Petitions to the Commissioner</td><td>_____</td></tr><tr><td>Petitions related to provisional applications</td><td>_____</td></tr><tr><td>Submission of Information Disclosure Stmt.</td><td>_____</td></tr><tr><td>Recording each patent assignment per property (times number of properties)</td><td>_____</td></tr><tr><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td>_____</td></tr><tr><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td>_____</td></tr><tr><td>Other fee (specify) _____</td><td>_____</td></tr><tr><td colspan="2"><b>SUBTOTAL (3) \$ <u>330.00</u></b></td></tr></tbody></table>	Fee Description	Fee Paid	Surcharge-late filing fee or oath	_____	Surcharge - late provisional filing fee or cover sheet	_____	Non-English specification	_____	For filing a request for reexamination	_____	Requesting publication of SIR prior to Examiner action	_____	Requesting publication of SIR after Examiner action	_____	Extension for response within first month	_____	Extension for response within second month	_____	Extension for response within third month	_____	Extension for response within fourth month	_____	Notice of Appeal	<u>330.00</u>	Filing a brief in support of an appeal	_____	Request for oral hearing	_____	Petition to institute a public use proceeding	_____	Petition to revive unavoidably abandoned application	_____	Petition to revive unintentionally abandoned application	_____	Issue fee	_____	Advance Order (10 copies)	_____	Publication Fee	_____	Petitions to the Commissioner	_____	Petitions related to provisional applications	_____	Submission of Information Disclosure Stmt.	_____	Recording each patent assignment per property (times number of properties)	_____	Filing a submission after final rejection (37 CFR 1.129(a))	_____	For each additional invention to be examined (37 CFR 1.129(b))	_____	Other fee (specify) _____	_____	<b>SUBTOTAL (3) \$ <u>330.00</u></b>	
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Submitted By:

Typed or

Printed Name Patrick J. Hagan Reg. Number 27,643

Signature Patrick J. Hagan

Date July 19, 2004

Deposit Account User ID

04-1406